

BILL ANALYSIS

Senate Research Center

S.B. 415
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Health & Human Services
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, the Acanthosis Nigricans Screening program is for public school students in 11 Texas Education Agency regional areas and trains school nurses to administer Acanthosis Nigricans screening to assess risk for Type 2 diabetes.

S.B. 415 updates the program's name to Risk Assessment for Type II Diabetes (program), creates an advisory committee to help direct the program, includes additional data collection and reporting requirements for the program, and increases the level of information participating schools receive from the program.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to The University of Texas–Pan American Border Health Office in SECTION 3 (Section 95.002(b), Health and Safety Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends the heading to Chapter 95, Health and Safety Code, to read as follows:

CHAPTER 95. RISK ASSESSMENT FOR TYPE 2 DIABETES

SECTION 2. Amends Section 95.001, Health and Safety Code, by adding Subdivisions (1-a) and (1-b) and amending Subdivision (3), as follows:

(1-a) Defines "advisory committee."

(1-b) Defines "council."

(3) Redefines "office."

SECTION 3. Amends Sections 95.002, 95.003, and 95.004, Health and Safety Code, as follows:

Sec. 95.002. New heading: TYPE 2 DIABETES EDUCATION AND RISK ASSESSMENT PROGRAM. (a) Requires The University of Texas-Pan American Border Health Office (office) to administer a risk assessment program for Type 2 diabetes (program), rather than an acanthosis nigricans screening program.

(b) Requires the office, rather than the executive council of the Texas–Mexico Border Health Coordination Office of The University of Texas–Pan American, after reviewing recommendations provided by the advisory committee, to coordinate, by rule, the program, rather than screening, of individuals attending schools within Texas Education Agency Regional Education Service Centers 1-4, 10-11, 13, 15, and 18-20. Provides that the office should use existing funds as efficiently as possible or other funding from additional regional education service centers.

(c) Requires the rules to include procedures necessary to administer the program and requirements for schools to record and report risk assessment, rather than screening, activities using certain methods.

(d) Sets forth certain information the program should identify and assess. Makes a conforming change.

(e) Makes conforming changes.

(f) Requires the office to consult with the Board of Nurse Examiners to establish training requirements necessary for persons to conduct risk assessment activities described in this chapter. Makes conforming changes.

(g) Requires the office to provide and annually update information about obesity, Type 2 diabetes, and related conditions to health care providers via its Internet website.

Sec. 95.003. New heading: COMPLIANCE WITH RISK ASSESSMENT REQUIREMENTS. Makes conforming changes.

Sec. 95.004. RECORDS; REPORTS. (a) Requires the chief administrator of each school to enter risk assessment information for every individual into surveillance software chosen by the office. Makes conforming changes.

(b) Makes conforming changes.

(c) Makes a conforming change.

(d) Requires a risk assessment report to contain an explanation including certain information and instructions for an individual or family to receive evaluation by a physician or health care provider, rather than intervention by a school district. Makes conforming changes.

(e) Makes a conforming change.

(f) Sets forth that the report must be compiled from information in the surveillance software, be on a form prescribed by the office, and be submitted according to a timetable established by the office. Makes conforming changes.

(g) Requires the office to analyze and compile a summary of reports submitted by schools, file the summary with the advisory committee, and post certain pieces of information on an Internet website accessible to each school required to submit a report.

(h) Requires the office to provide to the chief administrator of each school, the school nurse, and any other person responsible for risk assessment activities at the school an annual summary compilation of the reports.

(i) Requires the office to submit a report to the governor and legislature which includes a detailed description of the program's expenses. Makes conforming and nonsubstantive changes.

SECTION 4. Amends Chapter 95, Health and Safety Code, by adding Sections 95.005 and 95.006, as follows:

Sec. 95.005. GIFTS AND GRANTS. Authorizes the office to accept gifts, grants, and donations in support of the program.

Sec. 95.006. ADVISORY COMMITTEE. (a) Establishes the Type 2 Diabetes Risk Assessment Program Advisory Committee (committee) to advise the office on the program.

(b) Sets forth the composition of the committee.

(c) Prohibits a person required to register as a lobbyist under Chapter 305 (Registration of Lobbyist), Government Code, because of actions relating to the health care profession or another profession relating to the council, from being a council member.

(d) Requires the representative of the office that is appointed to the committee by the office's executive director to serve as the committee's presiding officer.

(e) Requires the committee to meet at least twice annually and at the call of the presiding officer. Authorizes the committee to meet by teleconference if an in-person meeting of all members is impractical.

(f) Prohibits committee members from receiving compensation for service. Entitles committee members to the reimbursement of travel expenses incurred in relation to committee business if office funds are available.

(g) Provides that Chapter 2110 (State Agency Advisory Committees), Government Code, does not apply to the size, composition, or duration of the committee.

(h) Requires the committee to accomplish certain activities.

(i) Requires the committee to provide the office a report of their recommendations by September 1 of every even-numbered year. Requires the office to implement each committee recommendation regarding the risk assessment program when available funds exist.

(j) Defines "regional education service center."

SECTION 5. Amends Section 110.15(h), Education Code, to make conforming changes.

SECTION 6. Repealer: Sections 95.001(2) (defining "executive council") and (6) (defining "screening test"), Health and Safety Code.

SECTION 7. Requires the executive director of the office to appoint eight members to the committee in accordance with Section 95.006(b)(1) as soon as practicable upon implementation of this Act. Requires the chairman of the office to appoint five members to the committee in accordance with Section 95.006(b)(2) as soon as practicable upon implementation of this Act.

SECTION 8. Effective date: September 1, 2007.